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May 13, 2025

**Via ECF (Letter Motion)**

Hon. Katherine Polk Failla  
United States District Court  
Southern District of New York  
40 Foley Square, Courtroom 618  
New York, New York 10007

**MEMO ENDORSED**

**Re:** *Velasquez v. One Cup Of Tea Inc, et al.*  
**Case No.** 1:24-cv-04472-KPF  
**Filer's Direct Contact:** Dan Yao, Esq., Mobile (718) 662-4552

**Request to:**

- a. *Adjourn upcoming conference (Initial Pretrial Conference)*
- b. *Seeking extension of time to plead*

Dear Judge Failla,

This office has been retained to represent Defendant One Cup Of Tea Inc. ( the “Defendant”), in connection with the above-referenced matter. We write to make a request for an extension of the Defendant’s time to respond to the Complaint, which was originally due on 7/19/2024, from 7/19/2024 to 06/27/2025 (45 days from the date of this letter motion). This is the Defendant’s first request for an extension of time to respond to the Complaint. The parties’ counsels have conferred, and the Plaintiff’s counsel consents to this request.

We further request that this Court to adjourn the upcoming Initial Pretrial Conference, as the parties will attempt to conduct good faith negotiations during the interim, and to seek possibilities of resolving this case in an amicable fashion. Therefore, we request this Court to kindly adjourn the upcoming conference scheduled for May 21, 2025, at 11:00 a.m. to a later date, after my client can have an opportunity to review the Complaint. This is the Defendant’s first request for adjournment related to this conference, and the Plaintiff’s counsel consents to this request.

These requests are being made as we were retained by the Defendant just few days ago, and require additional time to investigate the Complaint's allegations and to potentially begin settlement discussions with Plaintiff's counsel.

Thank you for your consideration and thank you for your time and attention to this matter.

Respectfully submitted,

By: *Dan Yao*  
Dan Yao, Esq.  
Email: [dyao@yaolawoffice.com](mailto:dyao@yaolawoffice.com)  
*Counsel for Defendant One Cup Of Tea Inc*

Cc: Ben-Zion Bradley Weitz, Esq. (Via ECF)

Application GRANTED.

The deadline for Defendant to respond to the Complaint is extended to **June 27, 2025**.

The conference scheduled for May 21, 2025, is hereby ADJOURNED to **July 9, 2025, at 2:15 p.m.**

The Clerk of Court is directed to terminate the pending motion at docket entry 26.

Dated: May 14, 2025  
New York, New York

SO ORDERED.



HON. KATHERINE POLK FAILLA  
UNITED STATES DISTRICT JUDGE